

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

PRIME TRADING COMPANY, INC.,)	
)	
Plaintiff,)	
)	Case No. 08 C 154
v.)	
)	Judge Kennelly
R.J. O'BRIEN & ASSOCIATES, INC., an)	
Illinois corporation,)	Magistrate Judge Ashman
)	
Defendant.)	
)	

DEFENDANT'S AGREED MOTION FOR EXTENSION TO FILE REPLY BRIEF

Defendant, R.J. O'Brien & Associates, LLC ("RJO"), incorrectly sued as R.J. O'Brien & Associates, Inc., by and through its attorneys, respectfully moves this Court, pursuant to Federal Rule of Civil Procedure 6(b), for a two-week extension, or until August 12, 2008, to file its Reply in Support of its Motion to Dismiss for Failure to State a Claim Upon Which Relief Can Be Granted.

In further support of this Motion, RJO states as follows:

1. RJO's Reply to Plaintiff's Opposition to its Motion to Dismiss is due on July 29, 2008. (Court's Minute Entry of 7/8/08, Doc. No. 36.) RJO now seeks a two-week extension, or until August 12, 2008, to file its Reply Brief for several reasons.
2. *First*, RJO's counsel that was primarily responsible for drafting its Reply Brief left Mayer Brown last Tuesday, July 22, 2008, and replacement counsel was not able to start reviewing the file until last Thursday, July 24. This short time period did not afford RJO's counsel adequate time to complete the Reply Brief.

3. *Second*, the parties are currently in settlement discussions and RJO would like to avoid the expense of drafting a complete Reply Brief if the parties are able reach a settlement over the next week.

4. RJO has consulted Plaintiff's counsel concerning the requested extension and they do not oppose.

WHEREFORE, RJO respectfully requests that the Court grant this Motion and extend the time for filing its Reply Brief until August 12, 2008.

Dated: July 28, 2008

Respectfully submitted,

R.J. O'BRIEN & ASSOCIATES, LLC

By: /s/ Charles E. Harris, II
One of its Attorneys

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Dated: July 28, 2008

Respectfully submitted,

PRIME TRADING COMPANY, INC.

By: /s/ Bruce A. Smith

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CERTIFICATE OF SERVICE

The undersigned certifies that, on July 28, 2008, **Defendant's Agreed Motion for Extension to File Reply Brief** was served by electronic filing, upon the following counsel of record:

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